

6K

Notice of Allowability	Application No.	Applicant(s)
	10/790,242	BAKER, R. J.
	Examiner ANH PHUNG	Art Unit 2824

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTO-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. This communication is responsive to the application filed on March 2, 2004.
2. The allowed claim(s) is/are 36-56.
3. The drawings filed on 02 March 2004 are accepted by the Examiner.
4. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)(d) or (f).
 - a) All
 - b) Some*
 - c) None
 of the:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

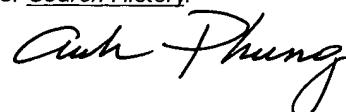
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) hereto or 2) to Paper No./Mail Date _____.
 - (b) including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. Notice of References Cited (PTO-892)
2. Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date March 2, 2004
4. Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. Notice of Informal Patent Application (PTO-152)
6. Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. Examiner's Amendment/Comment
8. Examiner's Statement of Reasons for Allowance
9. Other Search History.



ANH PHUNG
PRIMARY EXAMINER

DETAILED ACTION

1. In response to the U.S. Patent Application Ser. No. 10/790,242 filed on March 02, 2004, claims **36-56** are pending in the application.

Examiner's amendment

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The specification has been amended as follows:

Page 1, line 3, after "April 25, 2003," insert -- **now U.S. Pat. No. 6,741,490, issued on May 25, 2004, --.**

The examiner's amendment has been made in order to place the application in a condition for allowance.

Information Disclosure Statement

3. This office acknowledges receipt of the following items from the Applicant:
Information Disclosure Statements (IDS) filed March 02, 2004.
Information disclosed and listed on PTO 1449 was considered.

Examiner's Statement of Reasons for Allowance

4. Claims **36-56** are allowed.

Black, Jr. Et al. (US 6,693,826) and Perner (US 6,590,804) disclose a sensing circuit similar to that of the present application, but fail to teach:

"a first discharge circuit for discharging said first capacitor through the first resistive element, said first discharge circuit having a first discharge characteristic; a second discharge circuit for discharging said at least one reference capacitor through said reference resistive element, said second discharge circuit having a second discharge characteristic; and a comparison circuit for comparing said first discharge characteristic to said second discharge characteristic" as claimed in the independent claim **36**; or

"first discharge means for discharging a first stored electrical charge through a first resistive element according to a first, measurable discharge characteristic, said first resistive element having one of a first or a second programmed resistance; second discharge means for discharging a second stored electrical charge through a reference resistive element, said second discharge means discharging according to a second, predictable discharge characteristic; and means for comparing said first and said second discharge characteristics and for outputting a result based on said comparison" as claimed in the independent claim **42**; or

"discharging the first capacitor through a first resistance element; discharging the at least one reference capacitor through at least one reference resistance element; sensing a first discharge characteristic of said first capacitor and a second discharge characteristic of said at least one reference capacitor; comparing said first and second discharge characteristics; and outputting a logic signal based on said comparison" as claimed in the independent claim **49**; or

"connecting said resistance memory device to a reference circuit, said reference circuit comprising at least one second capacitive element connected to at least one second resistance element, said second resistance element having a known resistance value; charging said first and at least one second capacitive elements to a predetermined state; simultaneously discharging said first and at least second capacitive elements respectively through said first and at least one second resistance elements; quantitatively measuring a discharge characteristic from each capacitive element; comparing said quantitative measurements from said first and said at least one second capacitive elements; and outputting a value representing said comparison" as claimed in the independent claim 53.

Any comments considered necessary by applicants must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comment on Statement of Reasons for Allowance".

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **ANH PHUNG** whose telephone number is **(571) 272-1883**. The examiner can normally be reached on Monday-Friday from 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **RICHARD ELMS**, can be reached on **(571) 272-1869**. The fax phone

Art Unit: 2824

number for the organization where this application or proceeding is assigned is (703)
872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at **866-217-9197** (toll-free).

Art Unit: 2824

AKP



**ANH PHUNG
PRIMARY EXAMINER**